STATUTORY INSTRUMENTS

1965 No. 1050

PURCHASE TAX

The Purchase Tax Regulations 1965

Made - - - -	*26th April* 1965
Laid before Parliament	*18th May* 1965
Coming into Operation	*1st July* 1965

The Commissioners of Customs and Excise, by virtue of the powers conferred on them by section 31 of the Purchase Tax Act 1963(a) (hereinafter referred to as " the Act "), hereby make the following Regulations: —

1. An application for registration in pursuance of section 5(1) of the Act shall be made in the form numbered 1 in the Schedule to these Regulations.

2. For the purpose of satisfying the Commissioners in pursuance of section 4(3) of the Act that he uses chargeable goods in substantial quantities as materials a manufacturer shall furnish them with such information in such form and manner as they direct and shall permit them to examine any goods and to take such samples as they require.

3. Every registered person within 10 days after having begun or having ceased to use any premises in connection with the business of a wholesale merchant or manufacturer, or after any change has been made in the name, constitution or ownership of his business, or after any other event has happened which may necessitate the variation or cancellation of his registration shall notify the Commissioners in writing and furnish them with full particulars.

4.—(1) Every certificate of registration shall be in the form numbered 2 in the Schedule to these Regulations and shall have effect during such time as the registration to which it relates has effect or until the Commissioners otherwise direct: Provided that the Commissioners may, if in their opinion the circumstances require it, vary the particulars contained in any such certificate, whereupon it shall have effect as varied, or cancel it and issue a fresh certificate.

(2) A person to whom a certificate of registration has been issued shall keep it at his principal place of business or at such other place as the Commissioners direct and shall produce it on demand to an officer and shall surrender it to the Commissioners immediately on its ceasing to have effect or on demand by them or by an officer.

5. A registered person shall, if the Commissioners so require, give security in such manner and in such amount as they direct for the payment of any tax for which he is or may become accountable.

6. At the time of making entry of any imported chargeable goods in respect of which tax is payable the importer shall produce to the proper officer a declaration in such form and containing such particulars as the Commissioners require for the purpose of determining the wholesale value of the goods.

(a) 1963 c. 9.

7.—(1) Every registered person shall in every year furnish the Collector with returns in the form numbered 3 in the Schedule to these Regulations showing the amount of tax for which he is accountable in respect of each of the quarterly periods from the 1st January to 31st March, 1st April to 30th June, 1st July to 30th September and 1st October to 31st December, inclusive, and containing full information in respect of all other matters to which the said form relates, and shall furnish such return not later than the last day of the month next following the end of the quarterly period to which it relates: Provided that—

(*a*) where the Commissioners are satisfied that in order to meet the circumstances of any particular case it is necessary to vary the date on which any such period as aforesaid begins or ends or the date on which any such return as aforesaid shall be furnished they may accordingly give to a registered person such directions as they think fit;

(*b*) for the security of the revenue the Commissioners may direct a registered person to furnish such a return—

(i) in respect of the period from the beginning of any such quarterly period as aforesaid to such date as they direct, and to furnish it within seven days of that date, or

(ii) in respect of monthly periods beginning on the first day and ending on the last day of each calendar month or in respect of weekly periods beginning on Sunday and ending on Saturday each week, and to furnish such return not later than seven days after the end of the month, or three days after the end of the week, to which the return relates.

(2) Any person to whom the Commissioners give any direction in pursuance of paragraph (*a*) or (*b*) of the Proviso to paragraph (1) of this Regulation shall comply therewith.

(3) Any person who ceases to be registered during any such period as aforesaid shall, not later than ten days after so ceasing, furnish the Collector with a return in respect of that part of the period during which he was registered.

(4) A person furnishing a return in pursuance of this Regulation shall at the same time pay to the Collector the amount of tax appearing by such return to be due.

8.—(1) (*a*) If upon demand made by the Collector a person neglects or refuses to pay in accordance with the last preceding Regulation tax which he is thereby required to pay the Commissioners may direct the Collector for non-payment thereof to distrain on the goods and chattels of such person whereupon the Collector may by warrant signed by him authorise an officer to levy such distress.

(*b*) The provisions of section 74(2) to (5) of the Income Tax Act 1952(a) shall have effect in relation to any such distress as they have effect in relation to the distress under section 74(1) with the substitution for references to the collector of references to an officer of Customs and Excise and for the reference to the General Commissioners of a reference to the Commissioners of Customs and Excise.

(2) In Scotland the following provisions shall have effect:—

(*a*) Upon certificate made to him by the Collector that any tax is due and has not been paid in accordance with the last preceding Regulation the

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 10.

Sheriff or Sheriff substitute for the county shall issue a warrant for the Collector recovering the said tax by poinding the goods and effects of any person entered in the certificate as being a defaulter.

(*b*) The provisions of section 76(2) to (9) of the Income Tax Act 1952(a) shall have effect in relation to any such poinding as they have effect in relation to the poinding under section 76(1) with the substitution for reference to the General Commissioners of reference to the Commissioners of Customs and Excise and for the reference in section 76(9) to the collector of a reference to an officer of Customs and Excise.

9.—(1) If a registered person dies or becomes incapacitated the Commissioners may, from the date on which he died or became incapacitated until some person is registered in his stead or the incapacity ceases, as the case may be, treat as a registered person any person acting or purporting to act as a personal representative, trustee, receiver or committee and the provisions of the Act and of these Regulations shall apply to any person so treated as though he were a registered person.

(2) Any person acting or purporting to act as aforesaid shall, within 14 days of being appointed, or of commencing, so to act, whichever is the earlier, inform the Commissioners in writing of the date of the death or of the nature of the incapacity and the date on which it began.

10.—(1) A buyer making a representation in pursuance of section 13(1) of the Act (representations as to the purpose of a purchase) shall do so by delivering to the seller in respect of each purchase before the delivery of any goods thereunder a written order for the goods signed by the buyer and bearing the date of the day on which it was issued and stating—

(*a*) that he is the holder of a certificate of registration issued under the Act,

(*b*) the number of that certificate, and

(*c*) that he intends to sell the goods or to use them as materials:

Provided that if the Commissioners so permit the buyer in lieu of making such a representation to the seller in respect of each purchase may deliver to the seller a representation signed, dated and containing a statement as aforesaid relating to goods to be purchased from him during such period not exceeding 12 months next following the date of the representation as is specified in the representation.

(2) A buyer who has delivered a representation to the seller and thereafter ceases to be registered or to be entitled to a certificate of registration shall immediately on so ceasing notify the seller in writing that he has ceased to be registered or to be entitled to a certificate of registration: Provided that if before the buyer has ceased to be registered or to be entitled to a certificate of registration all goods purchased under the representation have been delivered by the seller, or, in the case of a representation to which the proviso to paragraph (1) of this Regulation applies, the period referred to in the representation has expired, this paragraph shall not have effect.

(3) A person claiming to be the holder of a certificate of registration who in pursuance of section 13(3) of the Act (representations as to the purpose of an importation) makes a representation to the Commissioners in respect of imported goods shall do so by delivering to the officer at the time of making entry of the goods a written declaration signed by such person and bearing the date of the day on which it is delivered and stating—

(a) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 10.

(*a*) that he is the holder of a certificate of registration issued under the Act,

(*b*) the number of that certificate, and

(*c*) that he intends to sell the goods or to use them as materials.

11. For the purposes of section 36(2) of the Act (determination of disputes as to wholesale value) the prescribed period shall be a period of fourteen days.

12. The Commissioners may vary in such manner as they think fit any of the forms in the Schedule to these Regulations, or may permit any such form to be adapted to meet the circumstances of any particular case, and any reference in these Regulations to any such form shall be deemed to include a reference to such form varied or adapted in pursuance of this Regulation.

13.—(1) In these Regulations " Collector " means the Collector of Customs and Excise within whose Collection the principal place of business of the registered person is situated and, in Regulation 8, includes the Collector within whose Collection are any goods, chattels or effects to be distrained or poinded; " officer " means officer of Customs and Excise.

(2) The Interpretation Act 1889(**a**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

14. The Purchase Tax Regulations 1945(**b**) are hereby revoked but without prejudice to any requirement made or direction or permission given by the Commissioners or anything done thereunder.

15. These Regulations may be cited as the Purchase Tax Regulations 1965 and shall come into operation on the 1st July 1965.

G. Imms,
Commissioner of Customs and Excise.

King's Beam House,
Mark Lane,
London, E.C.3.
26th April 1965.

THE SCHEDULE

Form No. 1. Application for Registration.

Schedule

1. Apparel (including headgear, gloves and footwear) and rugs made wholly or partly of fur skin other than of rabbit (including any skin with fur, hair or wool attached).
2. Fur skins other than of rabbit (including any skin with fur, hair or wool attached), dressed.
3. Jewellery, imitation jewellery and other goldsmiths' and silversmiths' wares.
4. Road vehicles and cycles (whether mechanically propelled or not).

(**a**) 52 & 53 Vict. c. 63.
(**b**) S. R. & O. 1945/517 (Rev. XVIII, p. 956: 1945 I, p. 1044).

THE SCHEDULE (*continued*)

5. Stationery and office requisites consisting of, or wholly or partly made from, paper, paper board or similar material, but excluding—
   (*a*) diaries, calendars and similar articles, and
   (*b*) articles of any of the descriptions known as greetings cards, and
   (*c*) stencils, address plates and similar articles.

PART 1. PARTICULARS OF BUSINESS

1. Trading style, or full name if there is no other trading style, of the business for which registration is required .....

2. Ordinary trade description of the business carried on. .....

3. Address of the premises at which the business is carried on and telephone number. .....

4. Address at which the principal accounts of the business are kept and telephone number. .....

5. If the business is not owned by an incorporated company give the full name(s) and private address(es) of the proprietor or partners. .....

6. If the business is owned by an incorporated company give the company's full name and the address of its registered office. .....

7. Particulars of any previous applications for registration for purchase tax whether under the above trading style or any other. State name and principal address of applicants; the approximate date (if registration not effected); and the number (if registration effected). .....

PART 2.

MANUFACTURE

1. What description of goods liable to purchase tax do you (i) sell, (ii) let out on hire or (iii) use in or in connection with your business, which are made by you or on which you perform a process of manufacture or which result from a process of manufacture applied by another person to your goods?

(i).....
.....
.....
(ii).....
.....
.....
(iii) .....
.....

THE SCHEDULE (*continued*)

State (iv) the approximate annual gross proceeds of such sales, and — (iv) Present £..... Expected £.....

(v) the approximate total annual value of such goods appropriated for letting out on hire, and — (v) Present £..... Expected £.....

(vi) the approximate total annual value of such goods appropriated or applied for use in or in connection with your business. — (vi) Present £..... Expected £.....

2. Do you apply any process of manufacture which results in goods liable to purchase tax of the kinds included in the schedule to this form (see page 2), whatever the goods were before the process and whether the goods are your property or not and for whatever purpose intended? —(Answer 'yes' or 'no': if 'yes' state description of goods.) .....

3. What description of goods liable to purchase tax do you buy—

	Approximate annual value of such purchases
(i) for use by you as materials in making other goods liable to purchase tax,	..... £.....
(ii) for use by you as materials in making goods not liable to purchase tax,	..... £.....
(iii) for use by you in repairing other goods?	..... £.....

WHOLESALE TRADE

4. What description of goods liable to purchase tax do you sell which are not covered by question 1 above, i.e., goods bought and resold in the same state? .....

State the approximate annual gross takings of sales of such goods	Present	Expected
(i) exported by you	£.....	£.....
(ii) sold to registered traders	£.....	£.....
(iii) sold to unregistered wholesalers and retailers	£.....	£.....
(iv) sold by you by retail (e.g., to the general public or other users or consumers)	£.....	£.....

THE SCHEDULE (*continued*)

PARTICULARS OF PREMISES

5. Full list of premises (if different from No. 3 in Part 1) where the manufacture or wholesale trade specified above is carried on. .....
.....
.....
.....

VALUE FOR TAX

	Class of goods	Prices inclusive or exclusive of tax	Percentage deduction claimed
6. If the value on which tax should be charged has to be calculated from retail selling prices (e.g. in the case of traders making goods only for direct sale by retail to the public) state whether the prices are inclusive or exclusive of tax and what percentage deduction you claim should be made from such prices in order to arrive at a fair open market wholesale selling price (see Notice No. 79).	.....	.....	.....

I, (full name of signatory in BLOCK CAPITALS) .....
.....
hereby declare that the foregoing particulars and statements are true and complete and I apply for registration accordingly.

Date ..... (Signed) .....
Proprietor / Partner / Director / Secretary } of the business partnership or company.

Form No. 2. Certificate of registration.

PURCHASE TAX CERTIFICATE OF REGISTRATION
REGISTERED NUMBER

I hereby certify that .....
.....
of .....
.....
carrying on business as a .....
has / have been registered in connection with the purchase tax.

Given under my hand at .....
this ..... day of ..... one thousand nine hundred and .....

Officer of Customs and Excise.

THE SCHEDULE (*continued*)

Form No. 3. Return of purchase tax.

Return for the Period ..... to .....

PART 1.

	£ s. d.
(1) Total amount being purchase tax adjusted pursuant to section 9 of the Finance Act, 1961, due and payable on all deliveries on sale, appropriations and applications to retail and other chargeable purposes, of chargeable goods during the period specified at the head of this form; and in respect of chargeable processes resulting in goods specified in the Schedule overleaf completed in that period by the registered person. (If none, please insert "NONE")	.....
(2) Underpayment (if any) arising on previous periods. (If none, please write "NONE")	.....
(3) Total amount payable. (If none, please write "NONE")	.....

PART 2.

In the period specified above,

(*a*) have you begun to use or ceased to use any premises in connection with the carrying on of your manufacturing or wholesaling business, or for the storage of chargeable goods or materials before their taxable sale or appropriation? .....
Particulars of changes (if any) .....
.....

(*b*) has any change occurred in the name, constitution or ownership of your business? .....
Particulars of changes (if any) .....
.....

(*c*) has any other change occurred in the circumstances of the business (e.g., death, incapacity or insolvency of the registered person) such as may necessitate alteration of the registration?
.....
Particulars of changes (if any) .....
.....

If no changes of any sort have occurred it will be sufficient to insert "NONE" below.

.....

THE SCHEDULE (*continued*)

PART 3.

DECLARATION BY SIGNATORY

I, ..., declare
(Insert FULL name of signatory in BLOCK CAPITALS)

(*a*) that the information given in Part 1 of this return is a full and true account of the purchase tax, adjusted as indicated therein, due and payable for the period specified in respect of all the business or businesses carried on by the above-named registered person(s) except in so far as they are separately registered;

(*b*) that the rates and amounts payable have been computed in accordance with the statutory provisions and the directions of the Commissioners of Customs and Excise; and

(*c*) that the information given in Part 2 of this return is true and complete.

I enclose herewith a crossed remittance for .....
..... pounds
..... shillings and ..... pence.

Proprietor
Partner
Director
Dated ..... Signed ..... Secretary

SCHEDULE

(*a*) Apparel and rugs made wholly or partly of fur skin other than of rabbit (including any skin with fur, hair or wool attached).

(*b*) Fur skins other than of rabbit (including any skin with fur, hair or wool attached), dressed.

(*c*) Jewellery, imitation jewellery and other goldsmiths' and silversmiths' wares.

(*d*) Road vehicles and cycles (whether mechanically propelled or not).

(*e*) Stationery and office requisites consisting of, or wholly or partly made from, paper, paper board or similar material, but excluding—

(i) diaries, calendars and similar articles;

(ii) articles of any of the descriptions known as greeting cards; and

(iii) stencils, address plates and similar articles.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations are made under the Purchase Tax Act 1963 and supersede the Regulations of 1945.

They regulate generally the administration and collection of the purchase tax, with particular reference to such matters as registration for tax, the making of representations by registered persons acquiring goods tax-free for use as stock or materials, the furnishing of returns of tax, payment of tax and recovery by distress of unpaid tax.